THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11129 of 2006

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the first respondent in not considering and passing orders on the stay petition pending in Appeal File No.E2/3523/2006 filed against the order passed by the second respondent in Proceedings No.G6/627/2005 dated 9.5.2006 as arbitrary and illegal.

It appears, petitioner is conducting business in distribution of LPG gas of HPCL since 1994 having obtained licence from the competent authority and doing principal business at Karimnagar. Thereafter, extension counters at Sultanabad, Illanthakunta, Keshavapatnam and Gundlapalli were also sanctioned in its favour. While the matter stood thus, the authorities found some irregularities committed by the petitioner insofar as extension counter at Sultanabad and initiated action under law. Aggrieved by the same, petitioner filed W.P.No.25637 of 2005 and this Court disposed of the said writ petition by order dated 1.12.2005 setting aside the impugned order therein and directed the authorities to conduct a fresh enquiry into the matter. While the matter stood thus, the second respondent issued a show cause notice for the purported irregularities committed by the petitioner in the principal place of business at Karimnagar. The petitioner submitted its explanation. After completing the formalities, the second respondent, however, cancelled the dealership of the petitioner. Aggrieved by the same, petitioner filed appeal before the first respondent-Director of Civil Supplies. The appellate authority though entertained the appeal vide File No.E2/3523/2006, but did not grant any stay. Hence the present writ petition.

This Court, while admitting the writ petition on 6.6.2006, granted

interim stay as prayed for. It seems, the first respondent received records from the second respondent on 3.6.2006 and issued notice dated 7.6.2006 to the petitioner for taking up the appeal on 17.6.2006. However, in view of the interim order passed by this Court on 6.6.2006, no further hearing was taken up.

In view of the above, without expressing any opinion on merits, the writ petition is disposed of directing the first respondent to take up the Appeal File No.E2/3523/2006 itself for final hearing and dispose of the same within a period of four weeks from the date of receipt of a copy of this order. Till the disposal of the appeal, the impugned order passed by the second respondent dated 9.5.2006 shall not be given effect to. No order as to costs.

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C.V.RAMULU, J

Date: 1.9.2006

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1.9.2006

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11129 of 2006

Dated: 1st September, 2006

Between:

M/s Bhaargavi Gas Lines,
HPC LPG Dealer, Bhagathnagar,
Karimangar, rep. by its Propreitor.

.. Petitioner

and

The Director of Civil Supplies,
Andhra Pradesh, Civil Supplies Bhavan,
Somajiguda, Hyderabad & another.

.. Respondents